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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/772,446	02/06/2004	Takahiro Komatsu	2004_0190A	5164

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EXAMINER	
NGUYEN, DAO H	
ART UNIT	PAPER NUMBER
2818	

NOTIFICATION DATE	DELIVERY MODE
09/09/2009	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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Office Action Summary	Application No.	Applicant(s)	
	10/772,446	KOMATSU ET AL.	
	Examiner	Art Unit	
	DAO H. NGUYEN	2818	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *06 March 2008*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-28* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-28* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☒ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *10 May 2004* is/are: a)☐ accepted or b)☒ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☒ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date *02/06/04, 08/07/06, 03/06/08*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

1. This Office Action is in response to the communications dated 03/06/2008.

Claims 1-28 are pending in this application.

Acknowledges

2. Receipt is acknowledged of the following items from the Applicant.

Information Disclosure Statement (IDS) filed on 02/06/2004, 08/07/2006, and 03/06/2008. The references cited on the PTOL 1449 form have been considered.

Applicant is requested to cite any relevant prior art if being aware on form PTO-1449 in accordance with the guidelines set for in M.P.E.P. 609.

Foreign Priority

3. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Drawings

4. The drawings are objected to for the following reasons.

Figure 29 is not designated by a legend such as "Prior Art". The Legend is necessary in order to clarify what applicant's invention is (see MPEP § 608.02g).

A proposed drawing correction or corrected drawings are required in reply to the Office Action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance. However, formal correction of the noted defect(s) can be deferred until the application is allowed by the examiner (see MPEP § 608.02v).

Specification

5. The abstract of the disclosure is objected to for the following reason:

The abstract should be on a separate sheet, and should contain only one paragraph. Correction is required. See MPEP § 608.01(b).

The lengthy specification has not been checked to the extent necessary to determine the presence of all possible minor errors. Applicant's cooperation is requested in correcting any errors of which applicant may become aware in the specification.

Claim Rejections - 35 USC § 102

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

7. Claim(s) 1-2, and 6-27 are rejected under 35 U. S. C. § 102 (b) as being anticipated by Calmel (US 6,128,399).

Regarding claim 1, Calmel discloses an information reading unit, shown in figs. 1, 2, comprising:

a light emitting section 22 (see also col. 1, line 41-61, col. 3, lines 8-15) which irradiates a light on an object 12; and

a light receiving section 16 which converts a light reflected from the object 12 into an electric signal , wherein at least a part of the light receiving section 16 has a light transmitting property, and the light receiving section 16 and the light emitting section 22 are laminated (on substrate 14). See also col. 1, lines 41-67; col. 2, line 27-col. 3, line 42.

Regarding claim 2, Calmel discloses an information reading unit wherein the light receiving section 16 and the light emitting section are provided on the same optical axis. See figs. 1, 2, and col. 1, lines 41-67, col. 2, line 22 - col. 3, line 42.

Regarding claim 6, Calmel discloses the information reading unit wherein the light receiving section 16 is formed by a photoconductive unit interposing at least one type of photoconductive material between electrodes. See col. 1, lines 41-61; col. 2, lines 42-46.

Regarding claim 7, Calmel discloses the information reading unit wherein the light emitting section and the light receiving section 16 are laminated on the same substrate 14. See col. 1, lines 41-61, col. 3, lines 4-15, and figs. 1, 2.

Regarding claim 8, Calmel discloses the information reading unit wherein a light transmitting electric insulating material is provided between the light emitting section and the light receiving section which are laminated on the same substrate 14. See fig. 2, and col. 1, lines 41-67; col. 2, line 39 - col. 3, line 32.

Regarding claim 9, Calmel discloses the information reading unit wherein the light emitting section and the light receiving section are provided on both sides of a substrate. See fig. 1.

Regarding claim 10, Calmel discloses the information reading unit wherein a plurality of light receiving sections 16 is provided in a matrix. See fig. 1.

Regarding claim 11, Calmel discloses the information reading unit wherein a plurality of light receiving sections 16 is provided in a matrix and takes a simple matrix structure having a data line and a scanning line. See fig. 1, and col. 2, lines 58-66.

Regarding claim 12, Calmel discloses the information reading unit wherein a plurality of light receiving sections 16 is provided in a matrix and takes an active matrix structure having a separate data transmission system. See fig. 1 and col. 2, lines 58-66.

Regarding claims 13-15, Calmel discloses the information reading unit comprising all claimed limitations. See figs. 1, 2.

Regarding claims 16-18, Calmel discloses the information reading unit comprising all claimed limitations. See figs. 1, 2 and col. 1, lines 41-61.

Regarding claims 23-25 and 28, Calmel discloses the information reading unit comprising all claimed limitations. See figs. 1, 2 and col. 1, lines 41-61; col. 2, line 42-col. 3, line 32. It is noted that the claimed features are well known in the art.

Regarding claim 19, Calmel discloses an information reading unit, shown in figs. 1, 2, comprising:

a light emitting section 22 (see also col. 1, line 41-61, col. 3, lines 8-15) which

irradiates a light on an object 12 ; and

a light receiving section 16 for converting a light reflected from the object 12 into an electric signal, wherein at least a part of the light emitting section and the light receiving section 16 has a light transmitting property, the light receiving section 16 and the light emitting section 22 are laminated (on substrate 14), and a light emitted from the light emitting section 22 is received by a plurality of light receiving sections 16. See also col. 1, lines 41-67; col. 2, line 27-col. 3, line 42.

Regarding claim 20, Calmel discloses the information reading unit wherein at least one of the light receiving sections 16 is shielded by a light shielding section, thereby preventing irradiation of a reflected light. See col. 1, lines 62-67; col. 2, lines 31-46.

Regarding claim 21, Calmel discloses the information reading unit wherein the light emitting section and the light receiving sections are provided on the same optical axis. See figs. 1, 2, and col. 1, lines 41-67, col. 2, line 22 - col. 3, line 42.

Regarding claim 22, Calmel discloses the information reading unit wherein the light emitting section is interposed between the light receiving sections. See figs. 1, 2, and col. 1, lines 41-61.

Regarding claim 26, Calmel discloses an information reading unit, shown in figs. 1, 2, comprising:

a light emitting section 22 (see also col. 1, line 41-61, col. 3, lines 8-15) which irradiates a light on an object 12; and

a light receiving section 16 which converts a light reflected from the object 12 into an electric signal, wherein at least a part of the light emitting section has a light transmitting property and the light receiving section 16 and the light emitting section are laminated. See also col. 1, lines 41-67; col. 2, line 27-col. 3, line 42.

Regarding claim 27, Calmel discloses an information reading unit, shown in figs. 1, 2, comprising:

a light emitting section (see also col. 1, line 41-61, col. 3, lines 8-15) which irradiates a light on an object 12; and

a light receiving section 46 which converts a light reflected from the object 12 into an electric signal, wherein at least one of the light receiving section 16 and the light emitting section has a light transmitting property and the light receiving section and the light emitting section are laminated. See also col. 1, lines 41-67; col. 2, line 27-col. 3, line 42.

8. Claim(s) 1-5, 19, 26, and 27 are rejected under 35 U. S. C. § 102 (e) as being anticipated by Yamazaki et al. (US 2004/0174324).

Regarding claim 1, Yamazaki discloses an information reading unit, shown in figs. 2, 4-6, 14, 19-20, comprising:

a light emitting section 422 (fig. 20) which irradiates a light on an object 425; and

a light receiving section 421 which converts a light reflected from the object 425 into an electric signal, wherein at least a part of the light receiving section 421 has a light transmitting property, and the light receiving section 421 and the light emitting section 422 are laminated.

Regarding claim 2, Yamazaki discloses an information reading unit wherein the light receiving section 421 and the light emitting section 422 are provided on the same optical axis. See fig. 2.

Regarding claim 3, Yamazaki discloses the information reading unit wherein the light receiving section 421 comprises an organic photoelectric converting unit having a photoelectric charge generating region formed by at least one type of electron donating organic material and electron accepting material between electrodes. See embodiment 7, paras. [0363-0379].

Regarding claim 4, Yamazaki discloses the information reading unit wherein the photoelectric charge generating region at where the electron donating organic material and the electron accepting material are mixed. See embodiment 7.

Regarding claim 5, Yamazaki discloses the information reading unit wherein the electron accepting material contains at least one of fullerenes and carbon nano tubes. See embodiment 7.

Regarding claim 19, Yamazaki discloses an information reading unit, shown in figs. 1-2, 4-6, 14, 19-20, comprising:

a light emitting section 422 (fig. 20) which irradiates a light on an object 425; and

a light receiving section 421 for converting a light reflected from the object 425 into an electric signal, wherein at least a part of the light emitting section 422 and the light receiving section 421 has a light transmitting property, the light receiving section 421 and the light emitting section 422 are laminated, and a light emitted from the light emitting section is received by a plurality of light receiving sections.

Regarding claim 26, Yamazaki discloses an information reading unit, shown in figs. 1-2, 4-6, 14, 19-20, comprising:

a light emitting section 422 (fig. 20) which irradiates a light on an object 425; and

a light receiving section 421 which converts a light reflected from the object 425 into an electric signal, wherein at least a part of the light emitting section 422 has a light transmitting property and the light receiving section 421 and the light emitting section 422 are laminated.

Regarding claim 27, Yamazaki discloses an information reading unit, shown in figs. 1-2, 4-6, 14, 19-20, comprising:

a light emitting section 422 which irradiates a light on an object 425; and

a light receiving section 421 which converts a light reflected from the object 425 into an electric signal, wherein at least one of the light receiving section 421 and the light emitting section 422 has a light transmitting property and the light receiving section 421 and the light emitting section 422 are laminated.

Conclusion

9. A shortened statutory period for response to this action is set to expire 3 (three) months and 0 (zero) day from the day of this letter. Failure to respond within the period for response will cause the application to become abandoned (see M.P.E.P 710.02(b)).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dao H. Nguyen whose telephone number is (571)272-1791. The examiner can normally be reached on Monday-Friday, 9:00 AM – 6:00 PM. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Steven Loke, can be reached on (571)272-1657. The fax numbers for all communication(s) is 571-273-8300.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (571)272-1633.

/DAO H NGUYEN/
Primary Examiner, Art Unit 2818
September 02, 2009